IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number	7076630	**Docket Number**	MIPS.0173-00-US
Filed	06/14/01	**Group Art Unit**	2188
Examiner	KEVIN L. ELLIS	**Customer No.**	23669
Application Title	METHOD AND APPARATUS FOR ALLOCATING AND DE-ALLOCATING CONSECUTIVE BLOCKS OF MEMORY IN BACKGROUND MEMORY MANAGEMENT		
First Named Inventor	ENRIQUE MUSOLL		

PETITION UNDER 37 CFR 1.183

VIA FACSIMILE: 571-273-8300

Mail Stop **PETITION**
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the denial of the request for issuance of a Certificate of Correction, Applicant petitions the Commissioner to waive the rules and issue a Certificate of Correction for the above-noted patent in view of the following extraordinary situation:

On 04/11/2006, Applicant submitted the attached Issue Fee Transmittal via facsimile. However, what was faxed to the U.S. Patent Office was not a paper copy, but rather a scanned electronic copy in PDF format. The scanned Issue Fee Transmittal form was edited using Adobe Acrobat 7.0 Standard to provide the required information on the form. That is, the names of the patent attorneys, the name of the Assignee, and the residence of the assignee, along with signatory and transmittal information were input on the issue fee transmittal PDF using editing/commenting tools within Acrobat.

Subsequent to submitting the Issue Fee Transmittal via facsimile, it was discovered that although the aforementioned edits were present in the original PDF document when viewed on a computer monitor, they were NOT transmitted via facsimile when the document was printed to a fax driver. Acrobat allows a document to be printed with or without markups, via operator selection, and it is unknown at this time whether the proper print configuration was inadvertently selected by the undersigned at the time of transmission or whether a bug exists in the Acrobat program that caused the default "Documents and Markups" selection to be ignored. Thus, when the Issue Fee Transmittal was printed to the fax driver, the added notations were not transmitted. Since the US Patent Office replied that the fax had been received, we were not made aware of this error until the patent itself issued, and a routine review found that Attorney and Assignee information fields were blank. We have contacted Adobe to better understand this software "issue" and have furthermore implemented procedural changes to provide verification of images which have been faxed to the PTO via the method described above.

In the interests of justice, Applicant earnestly requests that the Commissioner waive the rules and issue a Certificate of Correction to correctly identify the attorneys/agents, assignee, and location of the assignee per the attached request for Certificate of Correction. Applicant notes that should

08/25/2006 HVUONG1 00000105 09881934

01 FC:1462   400.00 OP

Adjustment date: 02/09/2007 CKHLOK
08/25/2006 HVUONG1 00000105 09881934
01 FC:1462   -400.00 OP

02/09/2007 CKHLOK   00000006 09881934
01 FC:1999   130.00 OP

0030037820

$270.00

Refund Ref:
02/09/2007

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Discover: XXXXXXXXXXXX8757

Application No. 09/881934 (Docket: MIPS.0173-00-US)
Petition under 37 CFR 1.183 dated 08/24/2006
Reply to denial of Request for Certificate of Correction dated 08/17/2006

the Commissioner deny the request to issue the Certificate of Correction, third parties will not be made aware of the proper ownership of this patent, as is recorded at Reel/Frame 013653/0650.

Included herewith is a credit card payment form authorizing a charge of $400 for the corresponding petition fee.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

By _____

      RICHARD K. HUFFMAN
      Registration No. 41,082
      (719) 575-9998

      08 / 24 / 2006

Date: _____

Attachments: Issue Fee Transmittal
             Certificate of Correction
             Communication denying request for certificate of correction

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR **PATENT** FEE REFUND				
1 Date of Request: 02/05/07		**2** Serial/Patent #		09881,934

3 Please refund the following fee(s):		**4** PAPER NUMBER	**5** DATE FILED	**6** AMOUNT
	Filing			$
	Amendment			$
	Extension of Time			$
	Notice of Appeal/Appeal			$
X	Petition		08/24/06	$ 270.00
	Issue			$
	Cert of Correction/Terminal Disc.			$
	Maintenance			$
	Assignment			$
	Other			$

2/9/07 CkhtK 09881934/ FC:1999 #130 and Refund #270 (JPR)

7 TOTAL AMOUNT OF REFUND	$ 270.00

8 TO BE REFUNDED BY:

X	Treasury Check
	Credit Deposit A/C #:

9 ☐ ☐ -- ☐ ☐ ☐ ☐

10 REASON:	
X	Overpayment
	Duplicate Payment
	No Fee Due (Explanation):

Petition fee = $130, not $400.

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Cliff Congo   TITLE: Attorney

SIGNATURE: _Cliff C___   PHONE: 571-272-3207

OFFICE: Petitions

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THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: _CkhtK___   DATE: 2/9/07

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B

Adjustment date 2/9/07 CkhtK #-400.00 FC:1462

FORM PTO 1577
(01/90)